

§ 52.2384 Stack height review.

The State of Vermont has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion techniques as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on March 21, 1986. The State has further declared in a letter from Harold T. Garabedian, dated March 21, 1986, that, "[T]he State concludes that our present rule 5-502(4)(d) is adequate to insure that new emission sources will not be able to use credits from modeling ambient impacts at greater than 'good engineering practice' stack height or from using 'other dispersion techniques.'" Thus, Vermont has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

§ 52.2385 Requirements for state implementation plan revisions relating to new motor vehicles.

Vermont must comply with the requirements of § 51.120.

[60 FR 4738, Jan. 24, 1995]

§ 52.2386 Original identification of plan section.

(a) This section identifies the original "Air Implementation Plan for the State of Vermont" and all revisions submitted by Vermont that were federally approved prior to August 14, 2000.

(b) The plan was officially submitted on January 29, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Notice of public hearing submitted on February 3, 1972, by the Vermont Agency of Environmental Conservation.

(2) Miscellaneous non-regulatory revisions to the plan submitted on February 25, 1972, by the Vermont Agency of Environmental Conservation.

(3) Miscellaneous changes to regulations 5-412, 5-466, 5-467, 5-481, 5-486, 5-487, and 5-488 submitted on May 19, 1972, by the Vermont Agency of Environmental Conservation.

(4) Revision to the particulate emission limitation or Fuel Burning Equip-

ment, revision to Rule 6, "Rules of Practice," of the Air Quality Variance Board and miscellaneous non-regulatory revisions submitted on March 3, 1975, by the Vermont Agency of Environmental Conservation.

(5) Revision to Chapter 5, "Incinerator Emissions" submitted on November 30, 1973, by the Vermont Agency of Environmental Conservation.

(6) Revision to Vermont Regulations, Chapter 5, "Air Pollution Control", by letter submitted on July 19, 1976 by the Vermont Agency of Environmental Conservation.

(7) Revision to Regulation 5-231, Prohibition of Particulate Matter, section 1, Industrial Process Emissions, with respect to wood processing operations, submitted by the Vermont Secretary of Environmental Conservation on April 11, 1977.

(8) Revisions to Chapter 5 of the Vermont Air Pollution Control Regulations, submitted by the Secretary of Environmental Conservation on February 21, 1978.

(9) Plans to meet various requirements of the Clean Air Act, including Part C, were submitted on March 21 and November 21, 1979. Included in these revisions is a program for the review of construction and operation of new and modified major stationary sources of pollution in attainment areas.

(10) Attainment plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted on March 21, November 21, November 27 and December 19, 1979. Included are plans to attain: The secondary TSP standard for Barre City and a portion of the Champlain Valley Air Management Area, the carbon monoxide standard in the Champlain Valley Air Management Area and the ozone standard in Chittenden, Addison, and Windsor Counties. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions were also included.

(11) A plan to provide for public, local and state involvement in federally funded air pollution control activities was submitted on March 28, 1980.

(12) A plan to attain and maintain the National Ambient Air Quality Standard for lead was submitted on June 24, 1980 by the Secretary of the Vermont Agency of Environmental Conservation. A letter further explaining the state procedures for review of new major sources of lead emissions was submitted on November 7, 1980 by the Director, Air & Solid Waste Programs, Vermont Agency of Environmental Conservation.

(13) A revision to the air quality monitoring network which meets the requirements of 40 CFR part 58, submitted on March 21, 1979 by the Governor of Vermont.

(14) A revision to regulation 5-221(1), "Sulfur Limitation in Fuel," submitted by the Secretary of the Vermont Agency of Environmental Conservation on November 13, 1979.

(15) Revisions to amend Regulations 5-101 "Definitions", 5-501 "Review of Construction or Modification of New Air Contaminant Sources", 5-502 "Major Stationary Sources", and Section 9 of the non-regulatory portion of the SIP; to delete Regulations 5-253(1 "Storage of Volatile Organic Compounds", 5-253(3), "Bulk Gasoline Terminals", and 5-231(4) "Potentially Hazardous Particulate Matter"; to add Regulation 5-261 "Control of Hazardous Air Contaminants"; and to amend Table 3 of the Regulations "Levels of Significant Impact for Nonattainment Areas"; submitted by the Secretary of the Vermont Agency of Environmental Conservation on August 24, 1981.

(16) A revision to Regulation 5-231, "Prohibition of Particulate Matter," by the addition of subparagraph (3)(b) submitted by the Secretary of the Vermont Agency of Environmental Conservation for all but three stationary wood-fired combustion sources (excluded from submittal: Moran Generating Station, Burlington Electric Department; Rutland Plywood Company; and Cersosimo Lumber Company) on February 12, 1982.

(17) A revision to approve Regulation 5-231(3)(b) for Cersosimo Lumber Company submitted on March 23, 1983 by the Secretary of the Vermont Agency of Environmental Conservation. (Note: The Cersosimo Lumber Company was excluded from the original approval of

Regulation 5-231(3)(b) into the Vermont SIP identified at subparagraph (c)(16) above.)

(18) A revision to approve Vermont Regulation 5-231(3)(b) for Rutland Plywood Corporation, submitted on October 19, 1984 by the Secretary of the Vermont Agency of Environmental Conservation.

NOTE: Rutland Plywood Corporation was excluded from the original approval of Regulation 5-231(3)(b) in the Vermont SIP, identified at paragraph (c)(16) above.

(19) A plan to protect visibility in the Lye Brook Wilderness, a mandatory Class I Federal area, from impairment caused by plume blight and to monitor visibility, in fulfillment of the requirements of 40 CFR part 51, subpart P. Submitted on April 15, 1986, the plan approves, only as they apply to mandatory Class I Federal areas, revisions to Vermont Regulations 5-101 (3), (14), (21), (59), and (76); 5-501(4); and 5-502 (4)(d) and (4)(e).

(i) Incorporation by reference.

(A) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter I. Definitions, 5-101 at subsections (3), (14), (21), (59), and (76), filed in its adopted form on September 2, 1986.

(B) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter V. Review of New Air Contaminant Sources, 5-501 at subsection (4) requiring responsiveness to comments and any analyses submitted by any Federal Land Manager, filed in its adopted form on September 2, 1986.

(C) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter V. Review of New Air Contaminant Sources, 5-502 at subsection (4)(d) requiring a demonstration of no adverse impact on visibility in any Class I Federal area; and at subsection (4)(e) which reletters the former subsection (4)(d), filed in its adopted form on September 2, 1986.

(ii) Additional material.

(A) Narrative submittal consisting of two volumes entitled, "Implementation Plan for the Protection of Visibility in

the State of Vermont” and “Appendices” describing procedures, notifications, and technical evaluations to fulfill the visibility protection requirements of 40 CFR part 51, subpart P.

(20) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on December 7, 1990 and January 10, 1991.

(i) Incorporation by reference.

(A) Letter dated December 7, 1990 and letter with attachments dated January 10, 1991 from the Vermont Air Pollution Control Division submitting revisions to the Vermont State Implementation Plan.

(B) Section 5-301 “Scope,” section 5-309 “Nitrogen Dioxide—Primary and Secondary Ambient Air Quality Standards,” and Table 2 “Prevention of Significant Deterioration (PSD) Increments,” of Chapter 5 “Air Pollution Control” of Vermont’s Environmental Protection Regulations effective in the State of Vermont on December 7, 1990.

(ii) Additional materials.

(A) A state implementation plan narrative dated November, 1990 and entitled “State of Vermont Air Quality Implementation Plan.”

(B) Nonregulatory portions of the state submittal.

(21) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on August 9, 1993.

(i) Incorporation by reference.

(A) Letter dated August 9, 1993 from the Vermont Air Pollution Control Division submitting revisions to the Vermont State Implementation Plan. Vermont resubmitted Vermont’s rule entitled “Registration of Air Contaminant Sources,” Sections 5-801 through 5-806 and the SIP narrative entitled “State of Vermont Air Quality Implementation Plan, February 1993” to meet the emission statement requirements of the Clean Air Act Amendments of 1990.

(B) Letter dated February 4, 1993 from the Vermont Air Pollution Control Division submitting revisions to the Vermont State Implementation Plan which included Vermont’s rule entitled “Registration of Air Contaminant Sources,” Sections 5-801 through 5-806 and the SIP narrative entitled “State of Vermont Air Quality Imple-

mentation Plan, February 1993” to meet the emission statement requirements of the Clean Air Act Amendments of 1990. Sections 5-801 through 5-806 were previously adopted by Vermont and became effective on April 20, 1988.

(C) Section 5-801 “Definitions,” section 5-802 “Requirement for Registration,” section 5-803 “Registration Procedure,” section 5-804 “False or Misleading Information,” section 5-805 “Commencement or Recommencement of Operation,” and section 5-806 “Transfer of Operation” effective on April 20, 1988.

(ii) Additional materials.

(A) Vermont’s SIP narrative entitled “State of Vermont Air Quality Implementation Plan, February 1993” which addresses emission statement requirements not covered by sections 5-801 through 5-806.

(B) Letter dated October 5, 1994 from the Vermont Air Pollution Control Division which clarifies Vermont procedures in developing the emission statement information.

(C) Nonregulatory portions of the submittal.

(22) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on August 9, 1993 and March 20, 1995.

(i) Incorporation by reference.

(A) Letters from the Vermont Air Pollution Control Division dated August 9, 1993 and March 20, 1995 submitting revisions to the Vermont State Implementation Plan.

(B) Regulations, including section 5-101, “Definitions,” subsection 5-251(2), “Reasonably available control technology for large stationary sources,” and, subsection 5-253.20, “Other Sources That Emit Volatile Organic Compounds,” adopted on July 9, 1993 and effective on August 13, 1993.

(C) Administrative orders for Simpson Paper Company, in Gilman, Vermont, and, U.S. Samaica Corporation, in Rutland, Vermont, both adopted and effective on January 4, 1995.

(23) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division in November, 1990, establishing a PM₁₀ standard.

(i) Incorporation by reference.

(A) Letter from the Vermont Air Pollution Control Division dated December 10, 1990 submitting a revision to the Vermont State Implementation Plan.

(B) Section 5 of the Vermont air quality State Implementation Plan, dated November, 1990.

(24) Revision to the State Implementation Plan submitted by the Vermont Department of Environmental Conservation on March 7, 1996.

(i) Incorporation by reference.

(A) Letter from the Vermont Department of Environmental Conservation dated March 7, 1996 submitting a revision to the Vermont State Implementation Plan.

(B) Amendments to Table 2 "Prevention of Significant Deterioration Increments" referenced in Section 5-502(4)(c) of the Vermont Agency of Natural Resources Environmental Regulations (effective July 29, 1995).

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(25) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on February 3, 1993, August 9, 1993, and August 10, 1994.

(i) Incorporation by reference.

(A) Letters from the Vermont Air Pollution Control Division dated February 4, 1993, August 9, 1993, and August 10, 1994 submitting revisions to the Vermont State Implementation Plan.

(B) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.1, entitled "Petroleum Liquid Storage in Fixed Roof Tanks," effective in the State of Vermont on November 13, 1992.

(C) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.2, entitled "Bulk Gasoline Terminals," effective in the State of Vermont on November 13, 1992.

(D) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.3, entitled "Bulk Gasoline Plants," effective in the State of Vermont on November 13, 1992.

(E) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.4,

entitled "Gasoline Tank Trucks," effective in the State of Vermont on November 13, 1992.

(F) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.5, entitled "Stage I Vapor Recovery Controls at Gasoline Dispensing Facilities," effective in the State of Vermont on November 13, 1992.

(G) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.10, entitled "Paper Coating," effective in the State of Vermont on November 13, 1992.

(H) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.12, entitled "Coating of Flat Wood Paneling," effective in the State of Vermont on November 13, 1992.

(I) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.13, entitled "Coating of Miscellaneous Metal Parts," effective in the State of Vermont on August 13, 1993.

(J) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.14, entitled "Solvent Metal Cleaning," effective in the State of Vermont on August 13, 1993.

(K) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-253.15, entitled "Cutback and Emulsified Asphalt," effective in the State of Vermont on August 17, 1994.

(L) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-101, entitled "Definitions," effective in the State of Vermont on November 13, 1992.

(M) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5-101, entitled "Definitions," effective in the State of Vermont on August 13, 1993.

(ii) Additional materials.

(A) Vermont Agency of Natural Resources document entitled "State of Vermont: Air Quality Implementation Plan" dated August 1993.

(B) Letter from the Vermont Agency of Natural Resources dated September 30, 1996 submitting a negative declaration for the shipbuilding and repair

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Control Techniques Guideline (CTG) category.

(C) Letter from the Vermont Agency of Natural Resources dated April 20, 1994 submitting a negative declaration for the synthetic organic chemical manufacturing industry (SOCMI) distillation and reactor processes CTG categories.

(D) Letters from the Vermont agency of Natural Resources dated April 6, 1992 and August 28, 1992 submitting negative declarations for several pre-1990 CTG categories.

(E) Nonregulatory portions of the submittal.

(26) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on July 28, 1998.

(i) Additional materials.

(A) Letter from the Vermont Air Pollution Control Division dated July 28, 1998 stating a negative declaration for the aerospace coating operations Control Techniques Guideline category.

[37 FR 10898, May 31, 1972. Redesignated and amended at 65 FR 54415, Sept. 8, 2000]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2386, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart VV—Virginia

§ 52.2420 Identification of plan.

(a) Purpose and scope. This section sets forth the applicable State implementation plan for Virginia under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 1 CAR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference.

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to March 1, 2000 was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after March 1, 2000 will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 3 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of March 1, 2000.

(3) Copies of the materials incorporated by reference may be inspected at the Region 3 EPA Office at 1650 Arch Street, Philadelphia, PA 19103; the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 1200 Pennsylvania Ave., NW., Washington, DC or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(c) EPA approved regulations.

EPA-APPROVED REGULATIONS IN THE VIRGINIA SIP

State citation (9 VAC 5)	Title/subject	State effective date	EPA approval date	Explanation [Former SIP citation]
Chapter 10 General Definitions—[Part I]				
5-10-10	General	8/1/02	3/15/04, 69 FR 12074	Revised paragraphs A, B, C.
5-10-20	Terms Defined—Definitions of Administrator, Federally Enforceable, Implementation Plan, Potential to Emit, State Enforceable, Volatile Organic Compound.	4/1/96	3/12/97, 62 FR 11334	§ 52.2465(c)(113) (i)(B)(7).